CAN WORDS PRODUCE ORDER?

Regicide in the Confucian Tradition

CARINE DEFOORT
KU Leuven, Belgium

◇

ABSTRACT

This article presents and evaluates a dominant traditional Chinese trust in language as an efficient tool to promote social and political order. It focuses on the term *shi* (regicide or parricide) in the *Annals (Chunqiu)*. This is not only the oldest text (from 722–481 BCE) regularly using this term, but its choice of words has also been considered the oldest and most exemplary instance of the normative power of language. A close study of its uses of 'regicide' leads to a position between the traditional 'praise and blame' theory and its extreme negation. Later commentaries on the *Annals* and reflection on regicide in other texts, in different ways, attest to a growing reliance or belief in the power of words in the political realm.

Key Words ◇ *Annals (Chunqiu)* ◇ China ◇ language ◇ order ◇ regicide

Two prominent scholars hold a debate in front of Emperor Jing (156–41 BCE). One of them is Master Huang, a follower of Huang Lao and the teachings of 'The Yellow Emperor and Laozi'. The other is Master Yuan Gu, a specialist in the *Book of Odes* and appointed as erudite at the court of Emperor Jing. Master Huang launches the discussion with the provocative claim that Tang and Wu, the founding fathers of China's two exemplary dynasties, respectively the Shang (18th–11th century) and Zhou (11th–3rd century) dynasties, were guilty of regicide against Jie and Zhòu, the last kings of the preceding dynasties.

> Master Huang says: 'It is not the case that Tang and Wu received the Mandate (from Heaven), but rather that they committed regicide.'
> Master Yuan Gu responds: 'Not true. Jie and Zhòu were cruel and disordering. All the hearts in the Empire turned to Tang and Wu. Joining the hearts of the Empire, they (Tang and Wu) executed Jie and Zhòu. The people did not accept Jie and Zhòu's orders anymore but turned to Tang and Wu, so that Tang and Wu could not avoid setting up (their dynasties). If this is not "receiving the Mandate" then what is it?'
> Master Huang says: 'Even if a cap is worn out, it must be put on the head; even if shoes

Cultural Dynamics 12(1): 85–109. [0921–3740 (200003) 12:1; 85–109; 011503]

> are new, they must be put on the feet. Why? Because of the distinction between above and below. Now, even if Jie and Zhòu had lost the Way (= good order), the lord is above; even if Tang and Wu were sages, the subjects are below. If the ruler misbehaves and the subjects are unable to rectify his mistakes with correct speech to make the Son of Heaven respectable, and if they, on the contrary, execute their ruler because of his mistakes, and, while replacing him, take the ruler's position facing south: if this is not regicide, then what is it?'
> Master Yuan Gu says: 'If what you say must be right, was then Emperor Gao wrong when he attacked the Qin dynasty and ascended to the position of Son of Heaven?'

At this point the Emperor feels compelled to interrupt the debate. He dismisses the two masters with a polite but clear analogy: 'One is no culinary rustic if one eats meat but no horse liver. One is no fool if one discusses scholarly matters but not the question of Tang and Wu receiving the Mandate.' The court historiographer notes that after this event no scholar dared to touch this sensitive topic anymore (*Shiji*, 1992: 121. 3122–3).

The Power of Naming

Before turning to the subject of this sensitive debate—namely the topic of regicide—I want to call attention to its form, more particularly to the fact that nobody explicitly defends the act of regicide (*shi*). Master Yuan Gu, on the one hand, does not argue that regicide is acceptable when the people spontaneously turn from a bad ruler to his virtuous minister. His point is rather that the installation of Tang and Wu is an exemplary case of 'receiving the Mandate', which is not regicide. Master Huang's initial claim, on the other hand, is clearly provocative even though he does not explicitly argue that regicide is unacceptable. Because both scholars as well as their imperial audience implicitly agree in their condemnation of regicide, their debate is shaped in terms of which concrete acts deserve to be categorized as such.

This apparently trivial point indicates an important characteristic of Chinese thought, according to scholars of ancient as well as contemporary China: namely the importance of how to name. Many scholars, most prominently among them Marcel Granet and Chad Hansen, have called attention to the normative and regulative power of words in ancient China. Philosophical disagreements tended to focus on powerful words (*ming*). Words are social products, taught at an early age, belonging to a cultural heritage and influencing desires and acts on an unconscious level. One's style, status, opinion and even one's reality are to some extent shaped by one's vocabulary. This vocabulary, rather than the claims made with it, is often the focus of Chinese discussions. Instead of presenting mitigating circumstances or good reasons to defend acts such as robbery and regicide, there will be a tendency to rely on the traditional prohibitive force of the terms and to provide arguments for not categorizing an act as such. As in

the debate at the court of Emperor Jing, arguments are given for or against a classification of Tang and Wu's acts as regicide, from which naturally follows, respectively, the rejection or acceptance of their acts.[1]

Such a concern with terminology leads to an education that relies more on the child's ability to name, evaluate and thus act upon events correctly than on the capacity to learn and construe ethical principles on the basis of relatively neutral terms. A traditionally Chinese and explicitly Confucian view of society as ideally analogous with the family, will naturally expand this concern with correct naming to enhance social order. Good leaders avoid the reliance on public laws, but influence their subjects by their exemplary behaviour and powerful words. This is not only the conclusion of contemporary scholars; it is also the traditional Chinese self-image, which began to waver only in this century, with increasing westernization, though it has certainly not disappeared. Although the actual reliance on laws throughout Chinese history may not confirm this image, this view of the intimate relation between language and order has had a major influence on political and philosophical debates.

The topic of my paper is this traditional Chinese self-image. Whence came the strong belief in the political power of Confucius' choice of words? To what extent can we attribute a normative power to words in an ancient Chinese chronicle? And how has this orthodox view stimulated different forms of argumentation? The obvious entrance to the debate is the term 'regicide', more particularly its occurrence in the *Annals*, a chronicle of 722–481 BCE. Chinese and Western scholars alike have appealed to 'regicide' as a favourite illustration of what they perceive as the political importance of 'correct naming' (*zhengming*) or, more generally, the normative power of language in the Chinese tradition. The first part of this paper discusses the topic of regicide, first in the Chinese tradition and then in more general terms. Its political sensitivity makes regicide an obvious candidate for reflection and debate. The second part investigates the records of regicide in the *Annals,* taking a new position in the ongoing discussion between the defence and rejection of the 'blame and praise' (*baobian*) theory, the traditional belief that, through his judicious choice of words, the editor of the *Annals* invested its brief records with hidden judgements to guide its readers and enhance political order. Instead of following the traditional track that opposes the normative use of words generally associated with Confucianism, to the so-called Legalist reliance on laws (juridical practice shows how closely the stipulation of terms is related to the interpretation of laws), the third part of the paper will make another comparison in the earliest discussions of regicide: between, on one hand, the commentaries on the *Annals* attributed to Mr Zuo, Mr Gongyang and Mr Guliang and, on the other, pre-Han sources attributed to Masters, commonly, but perhaps not very accurately, referred to as 'philosophers'.

The Touchy Topic of Regicide

The installation of the Shang and Zhou dynasties by, respectively, Tang and Wu in the 18th and 11th century were touchy topics for more than one reason, some of which are particular to China, and some of which are not.

The Chinese sensitivity to regicide

One reason for Emperor Jing to dismiss the debaters was that in ancient China discussion of concrete historical acts involved much more than merely the acts themselves.[2] Sarah Allan has shown how different records of crucial events in early Chinese history, such as change or continuation of rule, are expressions of political rather than merely historical views. She has reconstructed these views from narrative patterns that consistently express preference either for rule by 'heredity', protecting the royal family's interests, or for rule by 'virtue', a virtuous minister responding to the demands of the people (Allan, 1981: 142). Authors who agree with Master Huang will tend to describe other crucial moments in Chinese history as acts of violence; partisans of Master Yuan Gu will tend to legitimate all founding ministers as rulers by 'virtue' after receiving the Mandate from Heaven. Master Huang's accusation of Tang and Wu is one of those stereotypes that, despite their brevity, evoke a particular view of politics.

Yuan Gu attacks his opponent's claim with the analogy between Tang and Wu's acts, on the one hand, and the overthrow of the draconian Qin dynasty by the current Han dynasty (202 BCE–221 CE), on the other: one cannot accuse the two founding fathers without blaming the founder of the Han, the glorious forefather of Emperor Jing. Of course, Emperor Jing was sensitive to the political undertones of this debate and conscious of the precarious nature of his own position. If Master Huang was allowed to defend his claim, he could not avoid discrediting the legitimacy of the current dynasty by accusing its founder of regicide. But Master Yuan Gu's view was at least as threatening for the Emperor, because it allowed for the possibility that a subject as virtuous as Tang and Wu might win the people's hearts and legitimately overthrow the established order.[3]

Although the opposition between 'heredity' and 'virtue' may be inherent to any society that differentiates one kinship group from another, Sarah Allan believes that the tension is particularly strong in China because of its elaborate family networks and a political organization that combines hereditary kingship with non-hereditary officialdom (1981: 142). But the sensitivity of a topic such as regicide cannot be completely reduced to this opposition. Nor does the act of regicide concur with the distinction between royal family versus powerful outsiders, because the King can be killed by sons, brothers or other family members. The recurrent opposition analysed by Allan tallies with what we could call 'strong' cases of regicide, like those

of which Tang and Wu were accused by Master Huang, when one dynasty is superseded by another family. Regicide within a family and hence without dynastic change could be called 'weak'.

Violence as the source of order

Beyond the Chinese concern for family networks and dynastic stability lies a more general concern with the violent take-over of power, because any type of political order inevitably relies on a degree of violence that cannot be completely legitimated. The conservation of order depends on a successful domestication of various types of violence, especially those that threaten the order as a whole. Ordinary murder can be efficiently counteracted by legal power, which is itself legitimately channelled violence; but a large-scale revolt challenges the whole system, its legal and juridical institutions included. Rebels, so to speak, drag the currently ruling dynasty to a higher, often uninstitutionalized or non-existing court. The result of their revolt—failure or success—will determine whether they enter history as unlawful rebels or founding fathers of a new dynasty.

Regicide, weak or strong, wavers between both extremes: from ordinary murder to large-scale revolt. The extreme sensitivity of matters such as (strong) regicide or revolt is due to their paradoxical nature.[4] A single act is at once the most violent offence against the existing order and also the very foundation of a new order. Two taboos in any political system are equally the repudiation of this heroic founding act and its repetition: its acceptability cannot be questioned too critically nor defended too positively, as did Master Huang and Yuan Gu, respectively. In the words of Blaise Pascal (1623–62): 'The people should not feel the truth of the usurpation, which has once been introduced without reason, and has since become reasonable. We have to make it look authentic, eternal, and hide its beginning, if we want to avoid its imminent end' (Pascal, 1962: 51–2, no. 60/294; my translation).

A possible approach to this paradox is to search for a legitimation that surpasses the prevailing system, that allows for its rejection and provides a foundation for the initial act of violence. One fashionable attempt among Pascal's contemporaries to make the unreasonable act reasonable was an appeal to 'natural laws common to all countries', a claim that did not convince him as it did others. A century later, some rebels did refer to 'the Laws of Nature and of Nature's God' to dissolve existing political bonds and create a new nation. Their argument was that a long train of abuses and absolute tyranny give people the right and even the duty to throw off such government. 'The history of the present King of Great Britain is a history of repeated injuries and usurpations.' After a long list of the King's abuses, they conclude: 'We, therefore, the Representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge

of the World. . . . solemnly publish and declare, That these United Colonies are, and of right ought to be Free and Independent States' (Heffner, 1952: 13–15). The actors of the American Revolution legitimated their use of violence with a new way of thinking that on the continent had already called the Ancien Régime into question and that is now generally known as Enlightenment thought. But the foundation is never final in the sense that it is never totally transcendent or independent of the political success of its promoters. Our present conviction of the legitimacy of their revolutionary claims and the value of Enlightenment thought is to a large extent the result of the new system's political success and its promotion of this way of thinking. Underneath this vicious circle in which the Revolution and Enlightenment support each other lies the gap of unfounded violence.

> After a war in which they conquered our ancestors, they forced their ideals upon us, so that we cannot but look though their eyes. *They installed themselves as our ancestors*. With force and persuasion they have convinced our ancestors that they had been unfaithful to their parents, and that what they had considered just was actually unjust. (Defoort, 1994: 155–6; my translation)

The battle speech attributed to Wu before his attack on the Shang ruler contains striking similarities to this Declaration. The rebel and future king appeals to the authority of Heaven (*tian*) for his rebellious act. Thus goes the argument: the last Shang king behaved tyrannically, the Upper God (*Shangdi*) has deserted him, Heaven has given to Wu a clear sign, now Wu implores the knights of the western regions to support him, the 'One Man', in his respectful execution of Heaven's punishment.[5] In other words, Wu disobeys his ruler, the Shang king, only because of his strict obedience to a much higher authority, a more supreme ruler. But here too the paradox remains ultimately unsolved. However important Heaven may have been as the ancestor and legitimation of the dynasty founded by King Wu, its authority also depended on the dynasty's political success: it is with the Zhou dynasty that Heaven was invested with the highest power. Again we face a vicious circle in which Heaven's authority relies on the Zhou dynasty and the dynasty's legitimation on Heaven.[6]

Regicide in the Annals

Considering the universal concern with this political paradox, it is natural that it has raised reflection and discussion in China as well as elsewhere. However, in his book *Political Murder: From Tyrannicide to Terrorism*, Franklin Ford spends less than two out of the 440 pages on Chinese history, complaining that 'China's number of acknowledged assassinations is so small as to convince some observers that Chinese political behaviour, when compared to Mediterranean, Mesopotamian, or Iranian, has been unbelievably mild' (1985: 81). A quick glance at the ancient Chinese corpus is

enough to question this claim. Although the term 'regicide' does not occur in Wu's speech—nor in any other part of the *Book of Documents* or pre- and early Zhou texts—the charge of regicide against Tang and Wu probably existed at least in the 4th century BCE among anti-Confucian scholars. But the earliest and most discussed occurrences of the term are in the *Annals*.

The *Annals (Chunqiu)* is a sober chronicle of the feudal state of Lu during the Eastern Zhou period, recording political events in China's central and some peripheral states over a period of 12 ducal reigns and covering about 250 years (from 722 to 481). The content and style of the *Annals* can be illustrated with the records of any arbitrary year. Thus goes the record for the 6th year of Duke Yin (717 BCE):

> In the sixth year, the spring, a man from (the state of) Zheng came (to the state of Lu) with overtures of peace. In the summer, the fifth month, day Xinyou, the Duke (of Lu) had a meeting with the marquis of (the state of) Qi, and made a covenant at Ai. Autumn, seventh month. In the winter, men of (the state of) Song took (the town) Changge. (*Chunqiu*, 48: Legge: 21)

The *Annals* is traditionally edited together with the *Commentary of Mr Zuo (Zuo zhuan)*, one of its three well-known commentaries, written around the end of the 4th century BCE and partly collected from older stories.[7] The two texts, together known as the *Chunqiu Zuo zhuan*, are brimming with wars and domestic political violence, the latter being murders of rulers and top ministers by their countrymen: in short, the information for which Ford was looking.

The *Annals* record political murders of several types: *shi* meaning 'regicide' as well as 'parricide' (in the narrow sense of killing one's father); *sha* referring to 'killing' or 'murder' of, among others, great ministers and heirs; *zei* indicating 'wanton or criminal (killing)'; *lu* 'massacre'; *mie* 'exterminate (a clan)'; *si* 'die, put to death' and so forth. Although the tradition speaks of '36 cases of regicide in the *Annals*', it contains exactly 25 instances recorded as 'regicide', ranging from what we have called strong (among families) to weak (within a family) cases.

China's oldest etymological dictionary (of *c.* 100 CE) defines *shi* as 'a subject killing his lord' (*Shuowen jiezi*, 3B). An earlier source of 79 CE, containing a chapter with definitions of types of punishments, defines it as 'a subject or son killing his lord or father' (*Bai hu tong,* 11). Although *shi* thus combines regicide and parricide, the 25 cases in the *Annals* are all instances of regicide, and some of both. In other words, some are regicide but not parricide, none are parricide but not regicide: there is no record of a son simply committing parricide in a merely familial context. Because the political concern seems to dominate the familial one, and for the sake of simplicity, I translate *shi* as 'regicide' only. And because in the *Annals* the recorded events concern predominantly—if not exclusively—male persons, I simplify matters by referring to the male gender. In all 25 records, regicide is inflicted upon men: there is no female ruler, nor is there a case of *shi*

committed on one's mother. Although the actors are not always easily identifiable, as in cases which attribute an assassination to a whole state, they are in fact predominantly male.

The *Annals* seem to call regicide exclusively the murder of a ruler by his own subjects, usually members of the family or high-ranking ministers. The 'lord' killed by his 'subject' referred to in the definitions, could either be the king (*wang*) of Zhou (who, in name, ruled over all the feudal states)[8] or the ruler of any of these states, ranking as duke (*gong*), marquis (*hou*), earl (*bo*), viscount (*zi*) or baron (*nan*), or, finally, those southern barbarians who arrogated the title of 'king'.[9] The *Annals* seem to only consider the ruler 'lord' if he has officially taken the throne in the year following his father's death and after his father's burial—the calendar demands that the new ruler starts with a new year. If a father is not yet buried or if the year of his death has not yet elapsed, the murder of his heir is not recorded as 'regicide', but simply as 'murder' (*sha*). It is under such strict conditions that regicide constitutes a relatively small number of 25 out of all the assassinations recorded in the *Annals.*

A selection of records

The records in Table 1 are selected as general illustration of the laconic style of the *Annals* and, more particularly, of the cases discussed below. To the translated records are attached (1) the date of the act, according to the Chinese and western calendars; and (2) the page in James Legge's translation. Throughout this article, *shi* as a transitive verb is translated as 'commit regicide on' rather than 'assassinate' in order to indicate the use of *shi* in the original source. This selection of records may seem to the modern western reader as dry and insipid as a railway timetable. But the Chinese tradition saw the *Annals* differently: as a subtle repository of wise moral judgement with far-reaching regulating power more effective than the coercion of laws.

The 'praise and blame' theory

Sources as early as the late 4th century BCE testify to the belief that the *Annals* were edited by China's most honourable sage, Confucius (551–479 BCE), rather than merely written by an ordinary scribe at the court of Lu. It is remarkable that the earliest preserved testimony of the 'praise and blame' theory as a means to restore order relates it to cases of regicide and parricide. Mencius (371–289), the second important early Confucian Master, considers the *Annals* part of the sage's attempts to order the world:

> When the world was in decline and the Way weak, heresies and violence again arose. There were cases of regicide and parricide. Confucius worried and composed the *Annals*. The *Annals* were the prerogative of the Son of Heaven (= the Zhou king). Therefore, Confucius said: 'May those who recognize me, do so on the basis of the *Annals*; may those who condemn me, do so on the basis of the *Annals.'* (Mencius, 3B9)[10]

Table 1

Case	Record (+ date)	Legge
1	On day Moushen, Zhouxu of (the state of) Wei committed regicide on his lord, Wan. (Duke Yin, 4. 2; 719 BCE)	p. 15
5	Li Ke of (the state of) Jin committed regicide on his lord, Zhuo…[a] (Duke Xi, 10. 3; 650 BCE)	p. 156
6	In the winter, the 10th month, day Dingwei, the heir of (the state of) Chu, Shangchen, committed regicide on his lord, Gu. (Duke Wen, 1. 10; 626 BCE)	p. 229
8	In the winter, the 11th month, the men of Song committed regicide on their lord, Zhujiu. (Duke Wen, 16. 7; 611 BCE)	p. 274
9	In the summer, the 5th month, day Maorong, the men of Qi committed regicide on their lord, Shangren. (Duke Wen, 18. 3; 609 BCE)	p. 281
11	In the autumn, the 9th month, day Yichou, Zhao Dun of Jin committed regicide on his lord, Yigao. (Duke Xuan, 2. 4; 607 BCE)	p. 289
14	On day Gengshen (the state of) Jin committed regicide on its lord, Zhoupu. (Duke Cheng, 18. 2; 573 BCE)	p. 408
15	In the summer, the 5th month, day Yihai, Cuishu of Qi committed regicide on his lord, Guang. (Duke Xiang, 25. 2; 548 BCE)	p. 513
16	In the 16th year, in the spring, the second royal month, day Xinmao, Ning Xi of Wei committed regicide on his lord, Piao. (Duke Xiang, 26. 1; 547 BCE)	p. 523
19	In the 11th month, the men of Ju committed regicide on their lord, Mizhou. (Duke Xiang, 31. 7; 542 BCE)	p. 563
20	In the summer, the 4th month, Bi, son of the duke (= Qian), returned from Jin to Chu and committed regicide on his lord, Qian, in Ganxi. (Duke Zhao, 13. 2; 529 BCE)	p. 647
21	In the summer in the 5th month, day Wuchen, Zhi, heir of Xu, committed regicide on his lord, Mai. (Duke Zhao, 19. 2; 523 BCE)	p. 674
25	The men of Qi committed regicide on their lord, Ren, in Shuzhou. (Duke Ai, 14. 11; 481 BCE)	p. 838

[a] In this case, a great officer is included in the object of *shi*.

According to Mencius—and the tradition with him—Confucius took the liberty to, in the manner of an official scribe, write or emend the *Annals* of his home state. Because his political position in the hierarchy of Lu was too low for Confucius to publicly express criticism of the political events, he deliberately masked his judgements in subtle phrases: subtle enough not to offend those in power, but also clear enough to 'strike terror in the hearts of rebellious subjects and criminal sons', so that they would refrain from acts such as *shi* (Mencius, 3B9).

Perhaps it was the sober nature of the *Annals* that gave rise to a persistent search for hidden messages. A major part of the commentarial activity, especially in the *Gongyang* (*c*. 2nd cent. BCE) and *Guliang commentaries* (*c*. 1st cent. BCE), was meant to decode the subtle judgements hidden by Confucius in his chronicle.[11] Every record or omission of a date, place, name, state, agent, act and so forth was supposed to have a deep meaning, which the commentators claimed to unveil. The 20th-century Chinese scholar, Hu Shi, confirms this orthodox view: 'The events in the *Chun Chiu* (= the *Annals*) are not merely recorded with linguistic exactitude, but at the same time ethical judgements are pronounced upon them. The judgements are implied in the wording itself. . . .' After an illustration of cases of regicide in the *Annals,* he concludes: 'This attempt to imply ethical judgement in what appears to be merely "notices" of historical events, is probably the most characteristic feature of the *Chun Chiu* in its original form' (Hu Shi, 1968: 50–1).

The commentaries take the following approach. Why was, in case 16 (547 BCE), the assassination attributed to Ning Xi? According to the *Zuo commentary*, this was 'to say that the fault lay with the Ning clan' (Yang Bojun, 1990: 1113). In case 8 (611 BCE), however, it 'was said that "the people of Song committed regicide on their lord, Zhujiu" to show that the lord did not have the Way' (Yang Bojun, 1990: 622).[12] Why was, in case 1 (719 BCE), the name of the state used rather than a clan name? According to the *Gongyang commentary*, 'It is because he controlled the state' (*Chunqiu Gongyang*, 1996: 2205A). By associating Zhouxu with the state of Wei rather than with a clan, Confucius, according to the commentator, wanted to indicate that Zhouxu already had power over the whole state. On top of the explanation of individual cases, the commentaries sometimes also provide the reader with exegetical rules. The *Guliang commentary* elaborates on the last case: 'The fact that, when a great officer commits regicide on his lord, the state is used as clan name, is a rejection (of the act). It is because he committed regicide and replaced him (= his lord)' (*Chunqiu Guliang*, 1996: 2369A). The sage was able, through his judicious choice of words, to convey his evaluation of the political facts and strike potential evildoers with terror. The commentaries' task was to decode these subtle messages for posterity.

The attribution of a moral code to the *Annals* has always been closely related to the Confucian promotion of 'correct naming' or 'rectification of names'. Although the expression only occurs once in the sayings attributed to Confucius (*Lunyu*, 13. 3), it continues to greatly influence the attempts to derive moral messages from the *Annals*. Hu Shi also explicitly makes this link:

> By what means, then, did Confucius seek to 'rectify the names' [= *zhengming*]—a task which he considered so necessary to moral and political reformation? The answer is: *By using the written words and judgements so judiciously and judicially as to imply moral*

> *judgement, to approve and condemn as the laws of a state ought to approve and condemn*. . . . This notion must appear to an Occidental reader to be rather fanciful and untenable. But it is an idea which has had tremendous influence upon Chinese thought, . . . It is an idea which Confucius sought to embody in a work known as the *Chun Chiu* (= the *Annals*). (1968: 47–8; his emphasis)

Criticism of the 'praise and blame' theory

Fanciful and untenable it certainly appeared to George Kennedy, probably the most influential critic of the 'praise and blame' theory. He has argued quite persuasively that if we read the *Annals* separate from their long moralizing commentarial tradition, their choice of words can be explained without reference to any moral evaluation but by a hierarchical code: Kennedy's case study concerns various words for dying, depending on the person's political status. The amount of information on the place and date of events (a topic outside our concern here) mainly depended on the scribe's scope of knowledge: events in states close to Lu would be more fully recorded than those in the periphery. Thus, the chronicle was not motivated by any hidden moral agenda but merely by the scribe's 'serious attempt to record briefly all that he knew about the period 720–480', comparable to the attempt to compile 'an accurate railway timetable' (Kennedy, 1942: 46, 41).

There is much to say in favour of Kennedy's claim that the *Annals* are not a 'miscellaneous collection of examples for moral teaching', and that 'no universal principles for this [the orthodox praise and blame theory] exegesis have been formulated' (Kennedy, 1942: 46, 41). To my knowledge no ancient commentary nor any later scholar has provided such principles in relation to the use of terminology in the *Annals*. I will first focus on one case discussed in the commentaries and on one contemporary scholar, in search for the consistent exegetical rule in terms of 'praise and blame' that Kennedy denied to the *Annals*.

The commentaries. As an illustration of the commentaries, we can return to the *Zuo commentary's* explanation appended to case 8 (611 BCE), namely: 'The record that "the men of Song committed regicide on their lord, Zhujiu" was to show that the lord did not have the Way' (*Chunqiu Zuozhuan*, 1990: 622). A first problem is that this exegetical rule can be interpreted in various ways: does it refer to the attribution of the act to all 'the men of Song' rather than to a mere individual, thus attenuating their crime? Or does it refer to the record of the victim as 'their lord, Zhujiu', suggesting that the mention of his personal name also blames him for his own death? If it refers to both subject and object, then only three or four out of the 25 cases of regicide fall under this rule (cases 8, 9, 19, 25)[13], which leads to a second problem: how to determine the consistency of a rule covering only three or four cases? A third problem lies in the evaluation of the

acts: in order to determine the attribution of guilt in the *Annals*, we should at least be able to know and evaluate the events: but on the basis of what and according to which norms? The Kangxi editors of the combined *Chunqiu Zuozhuan* edition (Legge, 1994: 275–6), for their part, are convinced that the *Zuo commentary's* rule 'can only be applied, with an appearance of justice, to the first two'—to cases 8 and 9. We know for sure that in case 25 (481 BCE), which admittedly may be from another hand, the rule does not hold: the *Zuo commentary* shows how shocked Confucius was by the Tian clan's usurpation of the throne in the state Qi, but that his complaints were not heard in court (*Chinqiu Zuozhuan*, 1990: 1689).[14] He cannot possibly have excused the murderers.

If we include case 25 or if the Kangxi editors are right in their judgement of case 19, then the *Zuo commentary* presents a rule that does not even consistently cover four cases; and even if it does, three cases are hardly conclusive proof of consistency. In any case, the problems with this exegetical rule clearly illustrate the commentary's vagueness and relative unverifiability. The two other commentaries, the *Gongyang* and *Guliang,* are less vague in the sense that they explicitly indicate the part of speech under discussion: the murderer, the verb, the victim, etc. But they do not always agree with one another or with the *Zuo*. The only comment on any of the four cases listed in these commentaries is the *Gongyang*'s rule for the same case (namely 8):

> Of those who commit regicide, why are their personal and clan name sometimes mentioned and sometimes not (as is the case here). If a high minister commits regicide, they are mentioned; if a low ranking person does, he is included among the 'men'. (*Chunqiu Gongyang*, 1996: 2274C–2275A)

The subject of the record (the murderer) is the explicit topic of the comment, but the *Gongyang*'s focus on his status clearly does not agree with the *Zuo commentary*'s blame of the victim.

Contemporary scholarship. Turning from the complexities of the ancient commentaries to contemporary scholarship, Kennedy's criticism holds firm. The most persuasive recent study of the *Annals* that I have come across is Gassmann's *Cheng Ming: Richtigstellung der Bezeichnungen* (1988). The author concludes that generally the code behind the terse records cannot be deciphered in terms of 'praise and blame', but rather in terms of changing power relations within the state of Lu and between Lu and other states. But as soon as Gassmann comes to records of regicide (and eclipses), he reverts to the orthodox view, claiming that there is moral rejection in the use of the term 'regicide'.

Gassmann's support for the orthodox view is particularly strong for cases in which the *Annals*' choice of words has puzzled ancient commentators and contemporary readers alike. In case 21 (523 BCE), the heir inadvertedly serves a wrong medicine to his father, who consequently dies.

According to Gassmann, who joins the commentaries, Confucius used the term 'regicide' to indicate the son's guilt 'in the strong ethical sense of the term, even if he was not literally guilty according to the letter of the law' (1988: 251) Gassmann's tentative conclusion about more straightforward cases—tentative, because of the limited number of records—can be summarized as follows: guilt is implicitly attributed to the person (respectively the murderer or victim) of whom little information is given in terms of name, state and so on. Thus, if the murderer is considered guilty, he is referred to as 'a criminal', 'a man', 'men'[15] or merely by his first name; if not, he is referred to with his family or clan name.

Gassmann's evaluation of the less straightforward cases, to which we turn later, is closely related to the main argument of his book, namely that Confucius may after all have been the editor of the *Annals,* providing it with subtle 'praise and blame'. It does not tally well with more convincing parts of his research decoding the *Annals* in terms merely of power relations, rather than 'praise and blame'. His more tentative conclusions concerning the straightforward cases are more convincing, but also more complex than expounded here: so complex in relation to only 25 cases[16] that it can hardly be considered the 'universal principle' that Kennedy expected. To my knowledge no ancient commentary or contemporary scholar has provided such a clear and consistent exegetical principle explaining the 'praise and blame' hidden in the *Annals.*

A counterpoise to Kennedy

Although Kennedy deserves to be acknowledged for demystifying the orthodox 'praise and blame' theory, he can be accused of over-reacting. Before defending a minimal version of the orthodox view, I want to point out three problems with Kennedy's argumentation.

Kennedy's argument is misguided in two ways. First, it hinges on a close examination of words used for dying, while his general conclusion includes words for killing. Not only is killing morally and politically much more sensitive than dying, but, second, Kennedy excludes at the very outset all cases of violent death. 'In order to test the question conveniently, we have selected one particular category of entries, namely, the records of the *deaths* of rulers of states who are said to have *come to a natural end*' (1942: 41; my emphasis). For reasons of convenience (!), Kennedy from the outset excludes regicide, which is exactly the category that constituted, according to Mencius, the origin of the *Annals*—Confucius' motivation to take up his pen—and which has remained until this century the favoured illustration of the 'praise and blame' theory.

A second point is that the search for a conscious attempt to convey moral judgements, and for a universal principle to evaluate political murders, relies on the assumption that language is primarily used to objec-

tively describe reality, not to instil values and influence action. The attempt to influence others is seen as only secondary and conscious, and hence is expected to be consistent. This assumption underlies not only Kennedy's demand of consistency, but also, to a lesser degree, the commentaries' exegetical efforts to unveil the sage's hidden messages. To one who senses the inherent power of language, especially of political terms, a more general concern with naming historical events does not appear fanciful or untenable at all. All countries are concerned with the wording used in their historical textbooks, and people can easily be upset by alternative descriptions of the events. We too are conscious of the differences of judgement hidden in the attribution of the Jewish genocide to either Hitler or Germany, the German people, the Nazis and so forth. We are concerned because the choice of words influences action by either condemning, forgiving, allowing or encouraging past events. One wonders whether there exists a *totally* neutral way to express such events. It is only natural that records of regicide in the *Annals* were, unlike railway tables (Kennedy's analogy), at least in a very general way, considered sensitive in their choice of terminology and attribution of responsibility.

A final remark on Kennedy's claims is that the *Annals* in and of themselves do not say much. Even though it is indeed important to judge them on their own terms and not through the eyes of the commentarial tradition, we inevitably have to rely on other sources, albeit only to know the recorded facts in more detail and to assess the *Annals'* attitude toward them, in other words to find out whether differences in the choice of words could have anything to do with the nature of the case. Much of what has been claimed about the content of the *Annals* depends inevitably upon other sources. If no scholar has been able to conclusively prove on the basis of the *Annals* alone that praise and blame lie embedded in its choice of words, no one has disproved the possibility either.

Condemnation of regicide in the Annals

Having refuted the sharpest sides of Kennedy's position, we now turn first to the *Annals* themselves and then to their immediate historical and textual context, in order to confirm the intuition that the term 'regicide' in itself conveyed at least some rejection of the act and was considered influential in the political realm.

A first possible indication of the prohibitive force of a term as *shi* in the *Annals* is negative. There are various instances of political murder which seem exemplary cases of regicide according to the *Annals'* own implicit understanding of the term, and which are nevertheless not recorded as such. The three most astonishing cases are those in which Lu's own rulers are murdered (see Table 2). We know from the commentaries, which are admittedly later sources, as well as from other ancient texts that Duke

Table 2

Case	Record (+ date)	Legge
A	In the winter, the 11th month, day Renchen, the duke died. (Duke Yin, 11. 4; 712 BCE)	p. 32
B	In the summer, the 4th month, day Bingzi, the duke died in Qi. (Duke Huan, 18. 2; 694 BCE)	p. 70
C	In the autumn, the 8th month, day Xinchou, the duke died. (Duke Min, 2. 3; 660 BCE)	p. 128

Huan was responsible for his own predecessor's death, his elder brother, Duke Yin (case A; 712 BCE); that he was, in turn, killed by his own incestuous wife and her brother, the ruler of Qi (case B; 694 BCE); and that the murder of Duke Min was ordered by one of Lu's ministers. In any other state than Lu, these acts would no doubt have been recorded as regicide in the *Annals*. But none of its 25 records of regicide concern rulers of Lu. This suggests that within the state itself it may have been dangerous to connect the current ruler or his predecessor with an act such as regicide. This reserve on the part of the scribe seems similar to the Confucian resistance to the label of 'regicide' for Tang and Wu, the founding fathers of their model dynasties. Only when the *Annals* had outgrown their own home state and were appropriated by the Confucian tradition at large, were these scruples overcome. The three commentaries do not share the *Annals'* reserve concerning the assassinations of Lu's rulers by their own subjects and family members: they simply call them regicide.

A second indication of the sensitivity of a term such as regicide lies in various stories from the commentaries. One of them concerns case 15 (548 BCE). The *Zuo commentary* describes the aftermath of the assassination:

> The grand scribe wrote: 'Cuishu committed regicide on his lord', for which Cuishu put him to death. Two younger brothers [of the scribe] recorded the same after him, and both of them were put to death. Another younger brother recorded it again, but was left alone. (*Chunqiu Zuozhuan*, 1990: 1099)

Cuishu did not accept that his act should be officially recorded as regicide: the licentious duke had regularly intruded Cuishu's house to have sex with Cuishu's wife. The execution of three successive brave scribes from Qi—braver perhaps than those of Lu—attests to the importance attributed to their words, an importance that railway timetables do not have.

This sensitivity is certainly related to the politico-religious background of the *Annals*. The scribe was originally a semi-religious functionary, responsible for divination, sacrifice and ceremonies, as well as for recording detailed chronicles. Jacques Gernet (1990: 84) and, more recently Sarah Queen (1996: 117), have called attention to the religious origin of court annals which were probably announced by ritual functionaries on a very

regular basis to the ancestors of royal and princely lines. Lu, the state where the *Annals* were written, belonged to a princely line of the Zhou house, the self-proclaimed offspring of Heaven. The correct proclamation of the daily events was a serious matter in the communication between man and Heaven: meant to receive Heaven's continuous support, they were not just neutral descriptions of past happenings, but also reflections of a correct political stance.[17]

A third and broader textual support for the prohibitive force of the term 'regicide' also lies in the surrounding corpus of texts preceding Emperor Jing's taboo on the topic. Most uses of *shi* are morally negative, associating the increasing occurrence of regicide with political decay. The word is hardly ever used neutrally as an acceptable act, let alone as an instance of heroism.[18] I have not found the term modified in either a positive or a negative way, stating for instance that someone 'heroically' or 'wantonly' committed regicide on his lord. The former would probably be a contradiction in terms, as in the claim that somebody heroically abused a child; the latter was apparently unnecessary, because of the originally negative connotation of the term itself.

This also goes for the commentaries on the *Annals:* they confirm the intuition that a dry record using the term *shi* is at once a political condemnation of the act. Although they never explicitly make this claim, their exegesis nevertheless assumes it. All their explanations of the 'regicide' records therefore involve the sage's blame, never his praise. This assumption also explains their initial puzzlement in cases where the agent seems innocent to them. It is only when the commentators have analysed the case, and found a meaningful way to explain the supposed author's choice of words, that they make the prohibitive power of the term more explicit, by referring to the sage's blame of the responsible person.

Between the traditional 'praise and blame' theory and Kennedy's total rejection of it lies a political sensitivity to words which, as far as we can tell, was not foreign to the *Annals.*

Discussion of Regicide by Masters and Commentators

Whatever was the power of the term 'regicide' in the *Annals*, the records clearly contradict Ford's complaint that ancient Chinese chronicles do not contain assassinations. But Ford's interest is not so much in historical records of regicide as in a history of reflection on it.

Franklin Ford

The section of Ford's book on antiquity contains, besides stories and historical records of political murders, reflection on them. Ford locates the

'birth of tyrannicide theory' in 5th century BCE Greece. The chronicler, Xenophon, for instance, attributes in his famous dialogue, *Hiero,* the following words to his protagonist, Simonides:

> States, instead of revenging their (tyrants') deaths, bestow great honour on him who kills a tyrant; and instead of excluding tyrannicides from their temples, as they exclude the murderers of private citizens, they even place in their temples the statues of those who have been guilty of tyrannicide.

In the following century, Aristotle tries to define justifiable tyrannicide by distinguishing it from unacceptable instances of regicide. This track is followed by various Western thinkers such as Cicero (106–43 BCE) and Thomas Aquinas (*c*. 1207–80), who agree that 'he who kills the tyrant for the liberation of his country is praised and receives a reward' (Ford, 1985: 42, 44, 73, 124–5).

Such theories are not to be found in the Chinese tradition. Neither the ancient Masters nor the three commentaries contain any praise of heroes who killed tyrants, and there is no reflection on the conditions under which regicide would be acceptable, let alone recommendable. A morally coloured term such as 'tyrannicide',[19] suggesting the acceptability of such an act, does not even exist. We saw that *shi* tends to convey exactly the opposite moral message, namely that of prohibition. While the Greek reflections express the position of the subjects deliberating and legitimating their own and each other's possible revolutionary acts, the Chinese sources convey the ambiguous position of the ruler's scribe, wavering between cautious obedience (the scribes of Lu?) and upright challenge (the scribes of Qi in case 15). Masters and commentaries continue this ambiguity: they clearly express sympathy or admiration for the committer of regicide, without explicitly defending the act.

Two major obstacles to Ford discovering the ancient Chinese similarities to the Greek discussions, aside from the fact that he was not well-informed, may have been, first, the ambiguous position of the occasionally critical scribe as opposed to the more independent Greek subject and, second, the fact that much discussion is hidden under a common rejection of regicide. As in the court debate at the outset of this paper, the difference seems to concern the form of argumentation more than its content.

The Masters on regicide

The Masters' discussions often concern strong cases of regicide, couched in the stereotypes analysed by Sarah Allan. Despite their respect for tradition and abhorrence for regicide, the Confucian Masters do not merely excuse some rebels, but even adore them. In the blur between ruler and subject and the uncertainty of norms at moments of (strong) regicide, they tend to adopt the position of the critical rather than the fearful scribe. We saw how threatening the debate between the two Masters was for Emperor Jing,

even though neither explicitly defended the act of regicide. Categorization or naming was the explicit issue, while the implicit power of the terms was assumed. The court debate is representative of the Masters' approach.

Criticism of the tradition is expressed most eloquently in a book of the 3rd century BCE called the *Hanfeizi*. Chapter 44 contains the claim that the model kings 'were ministers who committed regicide on their lord' motivated by greed and gain, that they even mutilated their rulers' bodies, but nevertheless succeeded in making the world praise them for their righteousness. Such rumours probably already existed when King Xuan of Qi (r. 319–301 BCE) asked Mencius whether in the cases of Tang and Wu regicide had been permissible. Mencius answers:

> One who criminally treats benevolence, call (*wei*) him a 'criminal'; who criminally treats the right, call him a 'crippler'. A criminal and a crippler, call him a 'solitary fellow'. I have heard that they executed (*zhu*) the solitary fellow Zhòu, not that they committed regicide on a lord. (*Mengzi,* 1B8)

Mencius' conclusion that Tang and Wu did not commit regicide but executed a solitary fellow with criminal behaviour, depends on a way of naming and evaluating the situation along with Wu's own battle speech mentioned earlier. But aside from his moral authority as Confucian Master, Mencius does not feel compelled to provide elaborate reasons why King Xuan of Qi or anyone else would accept this version of the facts.

Nor does the next Confucian Master, Xunzi (*c*. 298–238 BCE), in his elaborate defence of Tang and Wu against the 'sophists' of his days. At no point does he appeal to the existence of a higher principle on the basis of which regicide would be permissible. To legitimize Tang and Wu's acts, Xunzi not only specifies profusely what he calls—and, thus, what others ought to call—'reign' or 'king', 'perish', 'lord', 'wield the empire', and so forth. He also clearly points out that the crux of the disagreement lies in alternative ways of naming and evaluating: for those who have a superficial understanding of political reality, regicide may have happened; but for those who are able to follow the author in naming history in a more subtle and effective manner, Tang and Wu are the blameless heroes of Chinese tradition. Despite all this stress on renaming, Xunzi does not focus on good reasons why anyone would follow his names and claims, aside from a single, unsubstantiated appeal to the consequences of poor naming: 'no disaster is bigger than this' (*Xunzi,* 18).[20]

It is remarkable that on both sides of the discussion, the ancient Masters seem to have appropriated, in their authoritative stipulations of what to call 'regicide', the reliance on normative language that the Confucians attributed to the *Annals.* Although they constitute the texts that are now generally considered 'Chinese philosophy', at least in the case of regicide, they rely on methods of persuasion that most Westerners would rather associate with a familial or legal context than with philosophy.

Regicide in the Commentaries *on the* Annals

Compared with the Masters, the commentaries do not react against provocative accusations by explicitly renaming the situation, but proclaim a great respect for the terminology on which they reflect, namely the *Annals'* choice of words. Rather than defending founding ministers, they share the abhorrence for the many (often weak) 'cases of regicide and parricide' which, according to Mencius, made 'Confucius worry and compose the *Annals*'. Even though they thus tend to emphasize the loyal or fearful side of the court scribe, they also manage to express strong sympathy with committers of regicide without ever explicitly defending the act.

One way of doing so is to explain the *Annals'* choice of words by resorting to a division of blame between murderer and victim. This is how, under the undisputed rejection of regicide, different evaluations of the event are nevertheless discussed. As was illustrated above, the commentaries do not fail to blame the victim for the act: the ruler who 'does not have the Way' (see *Zuo* on case 8, *Chunqiu Zuozhuan*, 1990)

Another characteristic of the *Commentaries* is the use of terms. Despite their self-proclaimed respect for the *Annals'* choice of words, the commentators feel remarkably free to describe the same acts with other terms. Out of the 25 records of regicide, the *Zuo commentary* recounts 10 using other terms, such as *sha* 'murder' (cases 5, 7, 8, 11, 13, 16 and 24), *yi* 'strangle' (cases 6, 20) or *zu* 'died' (case 21).[21] While the *Gongyang* and *Guliang commentaries* preserve the *Annals'* label of *shi* more loyally,[22] they use the term much more broadly, including murders of heirs and other cases in which the *Annals* had not used—or in the case of Lu rulers, perhaps scrupulously avoided—the term '*shi*'.[23]

A strange effect is produced by the combination of an absolute reverence for the sage's words and the commentators' own descriptions of the facts, especially in what I have called the puzzling cases. Cases 11 (607 BCE) and 21 (523 BCE) are such cases in which the *Annals'* records seems to diverge from common sense, at least as it was during the last centuries of the Zhou dynasty. Of the notice, 'In the autumn, the 9th month, day Yichou, Zhao Dun of Jin committed regicide on his lord, Yigao', the *Guliang commentary* says: 'It was (Zhao) Chuan who committed regicide. Dun did not. But it says that Dun committed regicide. Why? It is to blame him.' There follows a story of the cruelties of the duke and the flight of Zhao Dun, when his ruler had no ears for his respectful remonstrations. While Dun fled, his brother Chuan committed regicide on the duke and called Dun back to the capital. Dun did not punish his brother, but dispatched him to fetch a new duke. The story continues:

> The scribe Hu recorded the crime as 'Zhao Dun committed regicide on the duke.' Dun said: 'Oh Heaven. Oh Heaven. I have no guilt! Who says that Dun would bear to commit regicide on his lord?' The scribe said: 'You are the first minister. You went in

> to remonstrate but were not listened to; you came out to flee but did not go far. Regicide was committed on the lord. But after your return, you did not punish the criminal. Thus your intention is the same. If the intention is the same, the indictment is heavy. If not you, then who (is guilty)?' Therefore he wrote this: 'Zhao Dun of Jin committed regicide on his lord, Yigao.' The fact that he attributed it to Dun, while the transgression lay with an underling, was to show the ideal of being a loyal subject. That (the crime) was attributed to Zhi, the heir of Xu, was to show the ideal of being a filial son. (*Chunqiu Guliang*, 1996: 2412B)

According to the commentator, Confucius was particularly strict on Zhao Dun to set the ideal of a loyal subject, as he was strict in another case to set the ideal of a filial son. This second case may puzzle one even more: 'In the summer in the 5th month, day Rongcheng, Zhi, heir of Xu, committed regicide on his lord, Mai.' The *Guliang commentary* says: 'That it dates the regicide is (to show) that it was a correct (= natural) death. In that case, Zhi did not commit regicide. The fact that it says "committed regicide" while he did not, is to blame Zhi.' The heir who caused his father's death by serving the wrong medicine is totally distressed: he accuses himself of regicide and dies of sorrow during the same year. The *Guliang commentary* explains that the 'gentleman (= Confucius) merely followed Zhi in his self-reproach' (*Chunqiu Guliang*, 1996: 2438C–2439A).

The *Gongyang commentary* in both cases largely agrees with these views but has even more sympathy for the agents of the so-called regicides. In its version of the brothers Zhao, the commentary claims that 'the one who personally committed regicide (*qin shi*) on the lord was Zhao Chuan', thus presenting the first modification of the verb *shi* that I have come across. The story is longer and draws a detailed picture of the duke's cruelty in stark contrast with the tragic hero's goodness (*Chunqiu Gongyang*, 1996: 2278A–2280A). In the case of the unfortunate heir, the *Gongyang commentary* literally states that: 'it did not amount to regicide'. And it concludes with the confirmation that Confucius, in his own subtle way, forgave Zhi (p. 2324C).

Most remarkable about these commentaries are their recurrent plain statements that the agents 'did not commit regicide' or that the act 'did not amount to regicide'. At the same time, they fervently defend the sages' choice of words. I would argue that no contradiction is perceived here because the words seem to be of a different nature: those of the *Annals* are attributed a sacred depth and politico-moral efficiency; the commentators' own words are transparent and morally more neutral. Therefore, they have no problem explaining why the sage normatively calls regicide what in a merely descriptive sense is no regicide. An analogy for such exegesis, although not from the religious sphere, would be an adult explaining to her children the newspaper headline 'Clinton bombed Iran today', by indicating that he did not personally do this, but is nevertheless politically responsible. In their explanation of the deep moral term, the commentators

seem to take part in a process in which the perceived normative force of a traditional term is transferred to exegetical rules about sagely judgements which, in this case, take the concrete situation and the agent's intentions into account. The quality of morality originally attributed to powerful words such as *shi* moves away from the words themselves to principles or rules that are abstracted from them, leaving the words relatively devoid of their original power.

Who are the philosophers?

An analysis of the commentaries' and Masters' discussions of regicide shows that in the Chinese tradition, although no one explicitly defends the act, there are various views on the topic, some of which seriously challenge the current rulers. As for the content of the debates, one could argue that the Confucian adoration of the founding minister and the commentaries' sympathy with the subjects of regicide both, in their own way, come close to the Greek defence of 'tyrannicide'. But if we focus on the form of the argument, we are struck by the Masters' continuous reliance on normative terms and restipulations. The commentators of the *Annals*, who are generally associated with an orthodox adoration of authority, do something that reminds one more of philosophy. By abstracting general rules from supposedly sacred terms, they pave the way for a debate with, on the one hand, more neutral terms and, on the other, morally loaded principles. This evolution from sacred terms to moral rules will be taken up by Dong Zhongshu in his legal discussions during the Former Han, and in his attempts to articulate a more humane alternative to the existing laws.[24]

Conclusion

The foregoing discussion attests to the fact that *shi* was a politically sensitive term. This does not imply a belief in Confucius' personal redaction of the *Annals* to restore political order, nor in a subtly hidden 'praise and blame' code as a means to this end. But on a more general level, the *Annals*, however sober and uninformative, seem to indicate a consciousness of the political power of the term *shi*. Comparing its records with a railway table, as Kennedy does, is an exaggerated criticism of the 'praise and blame' theory, throwing away the baby with the bathwater. Discussion of regicide succeeding the *Annals*—by the commentators as well as the Masters—attests more fully to such sensitivity at least by the end of the Zhou dynasty (from the late 4th century BCE onward). The Masters, who compete with recipes to bring about order, implicitly rely upon and enhance the power which they recognize in words. The commentators, who treasure the *Annals* as Confucius' recipe for order, explicitly interpret its evaluations in

more general principles. The early discussions of regicide attest to the early Chinese proficiency to effectively use words in the production of political and social order.

NOTES

1. Hansen (1983: 59–63). See also Granet (1988: 41, 363). For contemporary China, see Schoenhals (1992).
2. Another reason was perhaps the tension at the Han court between Huang Lao Daoism and the Confucian tradition. Emperor Jing's mother favoured Huang Lao, but the political balance would soon tip in favour of the Confucians (in 136 BCE).
3. An expanded and more explicit expression of Master Yuan Gu's view can be gathered from a fictive conversation in *Chunqiu fanlu,* 25, attributed to another Confucian scholar, Dong Zhongshu (*c*. 195–115), serving under both Emperors Jing and Wu. The chapter could be a later record of the court discussion quoted above, written down by one of Dong's disciples. See Queen, 1996: 79, 82.
4. Even in a weak case—one that does not involve a total change of rule—the murder of one's king by members of the same family remains a very sensitive act because it touches the state's source of order and is, therefore, far more threatening than ordinary cases of murder. Murder of a king by enemies in war is generally experienced differently and triggers more or less familiar types of military or diplomatic reactions. The *Zuo commentary* has an exegetical rule for a singular use of the term *qiang* in the *Annals* as opposed to *shi*: 'In general, to massacre one's lord from inside (the state), is said: "regicide"; from outside is said "slaughter" ' (*Chunqiu Zuozhuan*, 1990: 777)
5. The *Taishi* chapter is regarded as a forgery of the Han period, but the speech probably existed at least orally, and was quoted and defended in *Xunzi*, 15.
6. Another argument for change of rule, often combined with the authority of Heaven (most explicitly by Mencius), is the moral debauchery and political impotence of the present ruler and, consequently, the charisma of the virtuous vassal or minister to whom the hearts of the people spontaneously turn. Despite the undisputable value of such authorities as 'Heaven', the 'people' and 'Enlightenment thought', they cannot *totally* avoid the fact that, as foundations and legitimations of a certain policy, they are also its result. After successfully installing a new dynasty and (apparently) enjoying the people's support, one uses that support as a legitimation of one's rebellious act.
7. *Chunqiu* literally means 'spring and autumn', which stood for 'the year' in the Shang and early Zhou dynasties. Although various courts had their own annals, those of Lu are best preserved and titled the *Annals.* Less well preserved are those of Qin (incorporated in the *Historical Records)* and Wei (in the later discovered and reconstructed *Bamboo Annals*). The redaction of the *Annals* is traditionally attributed to Confucius and officially stops in 481, two years before his death; they continue (perhaps by the hands of disciples) until 479; the *Zuo commentary* continues till 468.
8. In fact, none of the 25 cases of regicide concerns the Zhou king.

9. Originally the rulers of the barbarian states, Chu, followed by Wu and Yue. In the second half of the 4th century BCE, even non-barbarian states arrogated this title.
10. See also *Mencius,* 4B21. For an alternative reading of 'service to the Son of Heaven' see Gassmann (1988: 291). According to him, Confucius is not usurping any power but rather serving the ruler (1988: 297–8). For the 'obedient' and 'usurping' roles of the scribe, see below.
11. The dates of the three commentaries are debated. The *Zuozhuan* attributes the edition of the *Annals* to the 'gentleman', not Confucius, but the Chinese tradition shares the *Gongyang* and *Guliang commentaries'* attribution to Confucius. For convenience, when discussing all three commentaries, I will attribute them to 'the sage'.
12. In Chinese, last names come before the first name: Ning is the last name, Xi the first.
13. The last case is traditionally not included, because it happened in 481 BCE, according to the *Gongyang commentary*, after the moment that Confucius stopped writing the *Annals* (2352B–2354C).
14. See also *Lunyu*, 14. 22. The Kanxi editors do not consider case 25 (see previous note). But they add four other cases in which the act of regicide is attributed to a state, as in case 23. They think that neither of them fits under the *Zuo commentary's* exegetical rule. See Legge, 1994: 276.
15. The Chinese says *ren*, which can be translated in the plural as well as the singular. *Ren* is hierarchically higher than 'the people' or 'the masses'. Gassmann (1988: 252) translates *Song ren* in case 8 as 'somebody from Song', thus (unlike the *Gongyang* and *Zuo commentaries*) attributing blame to the subject (1988: 250).
16. Gassmann (1988: 350–65) groups 34 cases as *Attentatseinträge*, independent of the 25 cases explicitly called 'regicide' in the *Annals.* In a brief evaluation of Gassmann, I would question (1) his sharp distinction between *mere* power relations and 'praise and blame' interpretations, and (2) the consistency of his 'praise and blame' exegetical code (which he admits to be tentative). The demand of high consistency is rather Kennedy's problem.
17. The Zhou annals have not been preserved, but it could be that Lu considered itself worthy to start its own annals (in 722 BCE) when the house of Zhou had clearly become too weak to effectively control the Empire (in 771 BCE). In that year Zhou had moved eastwards under barbarian pressure and had received support from Lu, which descended from the same family.
18. A relatively neutral use of *shi* occurs in *Mencius*, 4A2, where he warns the ruler that, if the latter does not behave well, he will (rightly?) be assassinated (*shi).*
19. The Greek term 'tyrant' originally (e.g. in the *Hiero* dialogue) had no unambiguously negative connotation. It referred to a king who had gained power through wealth, not inheritance. The term had become negative by Aristotle's time.
20. See also *Chunqiu fanlu* (1996: 25). The Masters' discussion of regicide is discussed more at length in Defoort (1998: 115–18). Not all Masters are equally receptive to the power of the term: *shi* never occurs in the *Mozi* and *Zhuangzi*, for instance, although they do claim that Tang and Wu 'killed' (*sha*) Jie and Zhòu.

21. Case 23 has no record in the *Zuo commentary*; cases which the *Zuo commentary* first refers to with another verb, are sometimes mentioned as *shi* later on.
22. *Gongyang* once has *sha* instead of *shi* (case 5, 650 BCE).
23. There can be various explanations of the differences: as pointed out earlier, the *Annals'* use of *shi* seems determined by some strict implicit criteria. Political confusion following an act of regicide and differences in the exact information used by the original scribe and his various commentators may, in some cases, explain the different records in terms of *sha* or *shi*. Other differences may be caused by mental changes: the commentaries sometimes attribute the act of regicide to a female (e.g. *Zuo*, case 8, 611 BCE), something that the *Annals* never do. *Gongyang* and *Guliang commentaries* also label the murder of the heir as 'regicide' and receive explicit support for this in a source of the 1st century BCE: 'To commit regicide on the heir is the same crime as on the lord' (*Yan tie lun*, 7).
24. The Han laws were inherited from the harsh Qin dynasty (221–209 BCE). For attempts of Dong Zhongshu and other Gongyang scholars in these matters, see Queen, 1996: 127–62.

REFERENCES

Allan, S. (1981) *The Heir and the Sage.* San Francisco, CA: Chinese Materials Center.

Chunqiu fanlu (1996) (Luxuriant gems of the Annals), attributed to Dong Zhongshu (*c*. 195–115 BCE), *Chunqiu fanlu yizheng* (Explanatory correct edition of the *Chunqiu fanlu*), ed. Si Yu. Beijing: Zhonghua shuju.

Chunqiu Gongyang zhuan zhushu (1996) (Commentary on the *Chunqiu* and *Gongyang zhuan*), *Shisanjing zhushu* (Commentary on the thirteen classics), vol. 2. Beijing: Zhonghua.

Chunqiu Guliang zhuan zhushu (1996) (Commentary on the *Chunqiu* and *Guliang zhuan*), *Shisanjing zhushu* (Commentary on the thirteen classics), vol. 2. Beijing: Zhonghua.

Chunqiu Zhuozhuan (1990) (The Annals and the *Zuo commentary*), 4 vols., annotated by Yang Bojun, Beijing: Zhonghua.

Defoort, C. (1998) 'The Rhetorical Power of Naming: The Case of Regicide', *Asian Philosophy* 8(2): 111–18.

Defoort, J. (1994) *Wet en Geweld* (Law and violence). Kapellen: Pelckmans.

Ford, F. (1985) *Political Murder: From Tyrannicide to Terrorism.* Cambridge, MA: Harvard University Press.

Gassmann, R. (1988) *Cheng Ming: Richtigstellung der Bezeichnungen.* Berne and New York: Peter Lang.

Gernet, J. (1990) *A History of Chinese Civilization,* tr. J.R. Foster. Cambridge: Cambridge University Press.

Granet, M. (1988) *La Pensée chinoise.* Paris: Albin Michel.

Hansen, C. (1983) *Language and Logic in Ancient China.* Ann Arbor: University of Michigan Press.

Heffner, R. (1952) *A Documentary History of the United States.* New York: Mentor.

Hu Shi (1968) *The Development of the Logical Method in Ancient China.* New York: Paragon Book Reprint Corp.
Kennedy, G. (1942) 'Interpretation of the *Ch'un-Chiu', Journal of the American Oriental Society* 62: 40–8.
Legge, J. (1994) *The Chinese Classics: With a Translation, Critical and Exegetical Notes, Prolegomena, and Copious Indexes*, vol. 5, *The Ch'un Ts'ew with the Tso Chuen.* Taipei: SMC Publishing.
Pascal, B. (1962) *Pensées.* Paris: Éditions du Seuil.
Queen, S. (1996) *From Chronicle to Canon: The Hermeneutics of the Spring and Autumn Annals According to Tung Chung-shu.* Cambridge: Cambridge University Press.
Schoenhals, M. (1992) 'Formalized Language as a Form of Power', in *Doing Things with Words in Chinese Politics: Five Studies*, pp. 1–29. Berkeley, CA: Institute of East Asian Studies.
Shiji (1992) (Historical Records) Beijing: Zhonghua.

BIOGRAPHICAL NOTE

CARINE DEFOORT is associate professor at the sinology department of the KU Leuven. She is editor of the translation journal *Contemporary Chinese Thought* (Sharpe) and mainly teaches courses on classical Chinese and Chinese thought. *Address*: KU Leuven, Sinology, P.O. Box 3000, Leuven, Belgium. [email: Carine.Defoort@arts.kuleuven.ac.be]